

Senate Bill 409, Enacted by 2003 Montana Legislature

Codified in Montana Code Annotated:

TITLE 77. STATE LANDS

CHAPTER 1. ADMINISTRATION OF STATE LANDS

Part 10. Management of Crown Butte Land Exchange Property Interests

77-1-1001. Inventories and assessments. (1) The department may, in consultation with appropriate state agencies and the Northern Cheyenne tribe, conduct resource inventories and assessments of all or parts of the property interests acquired from the federal government in the Crown Butte land exchange to assist in the leasing, promotion, and development of those property interests. Those inventories and assessments include but are not limited to:

- (a) cultural resource inventories and assessments;
- (b) coal resource inventories and assessments;
- (c) market analysis of the mineral resources; or
- (d) any other inventories and assessments required by law or that the department determines are necessary.

(2) The department may place all or parts of the property interests acquired from the federal government in the Crown Butte land exchange up for lease in accordance with the procedures provided for in Title 77.

(3) Nothing in this section prevents the department from receiving applications to place the tracts for lease prior to the completion of inventories and assessments, and the department may lease the property interests acquired from the federal government in the Crown Butte land exchange in accordance with the applicable provisions of Title 77.

(4) Nothing in this section is intended to alter, diminish, or impair the Otter Creek settlement agreement between the state of Montana and the Northern Cheyenne tribe, and nothing in this section prevents the state from cooperating with the Northern Cheyenne tribe to enforce air and water quality standards through government-to-government reciprocity agreements.

History: En. Sec. 1, Ch. 318, L. 2003.

77-1-1002. Planning of lease actions. (1) The department shall manage the property interests acquired from the federal government in the Crown Butte land exchange consistent with 77-3-102 and consult with the private surface owners and the private mineral owners that control the coal property interests that are located in a checkerboard arrangement with the mineral interests acquired from the federal government in the Crown Butte land exchange in the planning of leasing actions.

(2) Consistent with Title 77, the department's leasing actions must:

- (a) attain the fair market value and optimize the monetary return to the public school fund;

and

- (b) facilitate and encourage timely development of the property interests acquired from the federal government in the Crown Butte land exchange.

History: En. Sec. 2, Ch. 318, L. 2003.